

RETURN DATE: JULY 19, 2016 : SUPERIOR COURT
JOHANNA CARLUCCI : J.D. OF NEW HAVEN
V. : AT NEW HAVEN
BRIGNOLE, BUSH & LEWIS, LLC,
TIMOTHY BRIGNOLE AND KIM BRIGNOLE : JUNE 21, 2016

COMPLAINT

COUNT ONE: Violation of C.G.S. §46a-60a(8) Sexual Harassment as to Defendant Brignole, Bush & Lewis, LLC and Defendant Timothy Brignole

1. Defendant Brignole, Bush & Lewis, LLC, (the Law Firm) located in Hartford, CT, during all relevant times, was duly authorized to conduct business in the State of Connecticut and was an employer as defined in C.G.S. §46a-51(10).
2. Defendant Timothy Brignole (Brignole) resides in the State of Connecticut.
3. Defendant Kim Brignole (Mrs. Brignole) also resides in the State of Connecticut.
4. Plaintiff Johanna Carlucci (Ms. Carlucci) during all relevant times, worked and resided in the State of Connecticut and was an employee as defined in C.G.S. §46a-51(9).
5. She has exhausted her administrative remedies by filing a timely complaint with the Connecticut Commission on Human Rights and Opportunities (CCHRO) and has filed this action within 90 days of receiving a release of jurisdiction.
6. Brignole engaged, and continues to engage, in a sexually predatory

practice in his law office. He has had sex with many female subordinate employees. Those who have refused to have sex, or who have discontinued the sexual relationship with him, are subjected to his aggressive sexual demands and intimidation. Other female employees who have refused his sexual advances are threatened by him with physical assault.

7. Brignole told others in his firm that he had sex with the firm's young receptionist, Ms. L, and on at least one occasion, had sex with her on the firm's conference table.

8. One of the legal assistants, Ms. S, told others in the firm that Brignole had sex with her.

9. Mrs. Brignole admitted that Brignole had sex with Ms. S. to another legal assistant, Ms. PB.

10. Upon information and belief, Brignole had sex with another of the firm's receptionists, Ms. I.

11. Upon information and belief, Brignole had sex with one of the other law partner's legal assistants, Ms. Wa.

12. Another receptionist, Ms. V, informed others that Brignole sexually harassed her.

13. Brignole repeatedly demanded sex from an associate attorney in the firm, Ms. W.

14. Brignole started sexually harassing another legal assistant, Ms. P. within two weeks of the start of her employment in 2009 by making sexually suggestive comments and kissing her on the mouth. Ms. P felt overpowered by Brignole and was

very vulnerable since she was in the process of divorce proceedings. Within a few months, Brignole asked her to have sex with him. Feeling she had no choice, she acquiesced. On at least 3 occasions, Brignole had sex with Ms. P in his office. Ms. P finally refused to continue the sexual relationship in 2010. Brignole tried to resume the sexual relationship and gave her \$500 for car repairs in an attempt to make her feel indebted to him. Ms. P still refused to have sex with him. A year later, Brignole fired her.

15. Upon information and belief, Brignole had a sexual relationship with a paralegal, Ms. B.

16. Upon information and belief, Brignole had sex with a receptionist, Ms. E.

17. Brignole made sexual comments to another paralegal, Ms. Br.

18. Brignole patted the buttocks of a legal assistant, Ms. PB. He also grabbed her waist many times, put his arms around her, came in close behind her--almost pressing himself against her-- as she bent over to add paper to the copy machine, and generally made it known to her that he wanted to engage in a sexualized relationship with her. Ms. PB made it known to Brignole that she would not engage in that type of relationship with him, and he became increasingly angry with her and on one occasion swung his fist at her.

19. Some of the employees with whom he had sex told others in the firm that Brignole had had sex with female clients.

20. Brignole's sexual harassment of employees was open and obvious to his partners.

21. Brignole tried to persuade, and intimidate, female employees to have sex with him.

22. The Law Firm hired Ms. Carlucci as an intern in 2005 when she was only 23 years old. Soon after she started working, Brignole focused a lot of attention on her, promising that he would train her to be the best litigation paralegal and that she would have a really important role in the building of his practice.

23. Ms. Carlucci had very low self-esteem and was flattered and impressed by his attention.

24. Within a month or two of the start of Ms. Carlucci's employment, Brignole asked her to have sex with him. Feeling that she could not refuse her boss' request, she agreed.

25. Brignole continued asking Ms. Carlucci to have sex during 2006 and 2007. She acquiesced but always reluctantly.

26. Ms. Carlucci felt a lot of shame being in a sexual relationship with her boss.

27. In 2008, she started dating someone and felt a little more self- confident. Consequently, she told Brignole in early 2008 that the sexual part of the relationship had to end.

28. Despite that, Brignole continued to ask her to have sex throughout 2008, 2009 and 2010. Ms. Carlucci continued to very politely refuse his demands for sex.

29. In the summer of 2010, Ms. Carlucci decided to purchase an apartment in a condominium. Brignole offered to give her a loan for the down payment. Having been able to avoid his sexual advances for 2 1/2 years, she thought his offer did not have sexual strings attached to it and accepted the loan.

30. But Brignole insisted on seeing the apartment which he had helped her purchase. She finally relented and allowed him to see the apartment at the end of the

summer in 2010. When he arrived at her apartment, Brignole insisted on having sex. Ms. Carlucci felt that she had no choice and reluctantly acquiesced to his sexual demand.

31. During the rest of 2010, Brignole continually asked her for sex which she continually put off. In December 2010, he again asked her for sex, and Ms. Carlucci felt so overwhelmed with shame and hopelessness, she became suicidal.

32. Brignole ordered Ms. Carlucci to not to tell anyone about the sexual relationship. She was scared of Brignole and feared he would harm her if she revealed to anyone that they had engaged in sexual relations, so she stayed silent, even to her doctors.

33. She became so distraught that she was hospitalized at the end of 2010 and again, in January 2011.

34. Not able to work fulltime, she worked part-time for Brignole from January to March and Brignole left her alone. But when she returned to work full-time in approximately March 2011, he again started asking her for sex.

35. Realizing that she would not get past her shame if she did not confide in someone about Brignole's sexual harassment, she told her therapist and her boyfriend about the sexual relationship with Brignole.

36. Brignole continued to ask for sex, even when Ms. Carlucci was pregnant in the fall of 2013, and continuing into 2014. As before, she politely put him off and remained fearful that he would harm her.

37. Brignole engaged in a continuing course of conduct of sexually harassing Ms. Carlucci.

38. Finally feeling strong enough to leave her job when she sold her condo in September 2014, Ms. Calucci gave notice of her resignation in November and left on November 26, 2014.

39. In December 2014, she sent Brignole a text message informing him that she wanted to pay off the rest of loan to him with the money in her 401k. Evidently, Mrs. Brignole saw her text and sent her a Facebook message: "You too? I am beyond disappointed. And you call yourself a Christian. LOL."

40. Ms. Carlucci then texted Brignole about his wife's message and he responded that his wife knows that he give loans to women he has had sex with.

41. Mrs. Brignole then sent a Facebook message to Ms. Carlucci that *Ms. Carlucci* was a bad person, apparently for having had sex with Brignole.

42. Brignole and Mrs. Brignole's messages to Ms. Carlucci not only exacerbated the distress she had felt being subjected to his ongoing sexual harassment, but they also confirmed that Brignole's sexual harassment of women was a standard operating procedure for him.

43. By the actions described above, the Law Firm created a hostile, offensive, and intimidating work environment.

44. By the above acts, the Law Firm subjected Ms. Carlucci to unlawful sexual harassment in a multi-year continuing violation of C.G.S. §46a-60a(8) .

45. Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

COUNT TWO: Violation of C.G.S. §46a-60a(5) Aiding and Abetting As to Brignole

46. Paragraphs 1-44 of Count One are hereby incorporated by reference.

47. Brignole aided and abetted the Law Firm in the illegal sexual harassment of Ms. Carlucci.

48. By the above acts, Brignole engaged in a continuing violation of C.G.S. §46a-60a(5).

49. As a result of Brignole's actions, Ms. Carlucci has suffered and continues to suffer financial loss and emotional distress.

COUNT THREE: Negligent Supervision and Retention as to the Law Firm

50. Paragraphs 1-43 in Count One are hereby incorporated by reference.

51. The Law Firm knew, or should have known, about Brignole's continuing course of sexual harassment of female employees but took no action to prevent and discourage such inappropriate conduct.

52. As a result of the Law Firm's actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

COUNT FOUR: Intentional Infliction of Emotional Distress as to Brignole

53. Paragraphs 1-42 of Count One are hereby incorporated by reference.

54. Brignole knew or should have known that his conduct would have caused Ms. Carlucci emotional distress.

55. His conduct was extreme and outrageous.

56. As a result of Brignole's actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

COUNT FIVE: Intentional Infliction of Emotional Distress as to Mrs. Brignole

57. Paragraphs 1-42 of Count One are hereby incorporated by reference.

58. Mrs. Brignole knew or should have known that her conduct would have caused Ms. Carlucci emotional distress.

59. Her conduct was extreme and outrageous.

60. As a result of Mrs. Brignole's actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

COUNT SIX: Negligent Infliction of Emotional Distress as to the Law Firm and Brignole

61. Paragraphs 1-42 of Count One are hereby incorporated by reference.

62. Brignole's actions were committed within the scope of his duties as a partner of the Law Firm.

63. Brignole should have realized that his conduct involved a unreasonable risk of causing emotional distress and that the distress, if it were caused, might result in illness or bodily harm.

64. As a result of Brignole's actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

COUNT SEVEN: Negligent Infliction of Emotional Distress as to Mrs. Brignole

65. Paragraphs 1-42 of Count One are hereby incorporated by reference.

66. Mrs. Brignole should have realized that her conduct involved a unreasonable risk of causing emotional distress and that the distress, if it were caused, might result in illness or bodily harm.

67. As a result of Mrs. Brignole's actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

Count EIGHT: Invasion of Privacy as to the Law Firm and Brignole

68. Paragraphs 1 through 42 of Count One are hereby incorporated by reference.

69. Brignole's actions were committed within the scope of his duties as a partner of the Law Firm.

70. Brignole's conduct, as described above, invaded Ms. Carlucci's privacy by intruding upon her seclusion in a manner that would have been highly offensive to a reasonable person.

71. As a result of Defendants' actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

Count NINE: Invasion of Privacy as to Mrs. Brignole

72. Paragraphs 1 through 42 of Count One are hereby incorporated by reference.

73. Mrs. Brignole's conduct, as described above, invaded Ms. Carlucci's privacy by intruding upon her seclusion in a manner that would have been highly offensive to a reasonable person.

74. As a result of Mrs. Brignole's actions, Ms. Carlucci has suffered, and continues to suffer, financial loss and emotional distress.

Count TEN: Assault and Battery as to Brignole and the Law Firm

75. Paragraphs 1 through 42 of Count One are hereby incorporated by reference.

76. Brignole's actions were committed within the scope of his duties as a partner of the Law Firm.

77. Brignole's actions and statements, as described above constitute an assault upon Ms. Carlucci.

78. Brignole's actions and statements, as described above constitute a battery upon Ms. Carlucci.

WHEREFORE, Plaintiff claims judgment against Defendants as follows:

1. Back pay and front pay, and benefits, in amounts to be determined with interest from the date said sums were due;
2. Compensatory damages in an amount to be determined;
3. Punitive damages in an amount to be determined;
4. Attorney's fees and costs of this action; and
5. Such other further relief as the Court deems necessary and proper

THE PLAINTIFF:

By: 

Victoria de Toledo, Esq.
Betsy Ingraham, Esq.
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1458 Bedford Street
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Tel. No.: (203) 325-8600
Juris No.: 106056

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STATEMENT OF AMOUNT IN DEMAND

The Plaintiff claim damages well in excess of \$15,000.00.

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